

**REMARKS**

Appreciation is hereby expressed to Examiners Bissett and Seidlick for the interview so courteously granted on August 27, 2003. Pursuant to that interview, Claims 1, 2, 7 and 8 have been amended to more definitely set forth the invention and obviate the rejection. Support for the amendment of these claims can be found in the original claims and in the Specification, pages 55-59 and Table 1'. The present amendment is deemed not to introduce new matter. Claims 1-5 and 7-20 remain in the application.

Reconsideration is respectfully requested of the rejection of Claims 1 and 2 under 35 U.S.C. §102(b) as anticipated by Nippon Zeon. Claims 1, and 6-8 as pointed out above, have been amended to now require that the polyurethane adhesive have a thickness of no more than 1  $\mu\text{m}$ . As can be seen from Example 5 in Table 1' on page 59 of the Specification, a degree of polarization of 99.6% was unexpectedly achieved when the polyurethane layer was only 1  $\mu\text{m}$ .

During the interview, there was a discussion of whether the prior art anticipated the claimed structures containing a polyvinyl layer. The issue presented was whether the prior art polyvinyl alcohol polarizer would anticipate a polarizing plate protection film of the present invention which uses a polyvinyl alcohol layer in contact with a polyvinyl alcohol polarizer. The discussion at the interview concerning this issue was whether the polyvinyl alcohol layer of the present invention would inherently act as a polarizer. The answer to this issue is that the polyvinyl alcohol layer of the present invention does not inherently function as a polarizer.

This is evidenced by the prior art of record in this case as well as the Specification herein. For example, in the Nippon Zeon reference relied upon by the Examiner there is disclosed in the

English translation of the Patent Abstracts of Japan of Nippon Zeon, in paragraphs 0015 and 0006, that a polarization film of polyvinyl alcohol can be used wherein the polyvinyl alcohol is treated so as to function as a polarizer. It is pointed out therein in paragraph 0015 and 0016 that it is necessary to treat a PVA system by dyeing and then extending the film.

It is apparent from the discussion in this reference that a PVA film per se, without treatment, does not inherently function as a polarizer. This same conclusion is supported by Shinohara, et al. relied upon by the Examiner; see column 9, lines 22-51. There it is pointed out that it is necessary to treat a PVA film, and, in some cases drawing the film, in order that it can function as a polarizer. Therefore, it is clear from these references that an untreated polyvinyl alcohol film would not function as a polarizer.

Moreover, the Specification of the present application also discusses the various methods of treating a PVA film in order that it can function as a polarizer. This discussion can be found on pages 21, 22 and 23 of the Specification herein.

In any event, Claim 2 has been amended to require that the polyvinyl alcohol layer is a non-polarizer polyvinyl alcohol. In view of the disclosure in the prior art of record and the present amendments, it is respectfully submitted that the Nippon Zeon reference in no way anticipates or renders unpatentably obvious the subject matter now called for in Claims 1 and 2 as amended. Consequently, the Examiner would be justified in no longer maintaining the rejection. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of Claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by Shinohara, et al. Both Nippon Zeon and Shinohara, et al. disclose

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that the polyvinyl alcohol layer recited in Claim 2 does not function as a polarizer since these references as well as the present application disclose that it is necessary to carry out treatment of polyvinyl alcohol in order to produce a polyvinyl alcohol layer which can function as a polarizer. Therefore, an untreated polyvinyl alcohol layer does not inherently function as a polyvinyl alcohol polarizer.

In any event, Claim 1 has been amended to require that the polyurethane layer be 1  $\mu\text{m}$ , and Claim 2 has been amended to require that the polyvinyl alcohol layer is a non-polarizing polyvinyl alcohol. The claims are therefore believed to patentably distinguish from Shinohara, et al. Consequently, the Examiner would be justified in no longer maintaining the rejection. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of Claims 3-4, 7-10 and 14-18 under 35 U.S.C. § 103(a) as being unpatentable over Shinohara, et al. in view of Ortel.

Shinohara, et al. and the amendment of the independent claims upon which these claims depend is discussed above.

It is believed that neither Shinohara, et al. nor Ortel disclose a polarizing plate protection film consisting of a thermoplastic saturated norbornene-type resin film having on at least one side a polyurethane resin adhesive having a thickness of no more than 1  $\mu\text{m}$ . On the contrary, that teaching or suggestion comes only from the present application and constitutes an important element or feature of the present invention. It is respectfully submitted that the polyurethane adhesive having a thickness of no more than 1  $\mu\text{m}$  as now called for in the claims patentably distinguishes from the prior art which uses a thicker adhesive layer which does not produce the unexpectedly superior

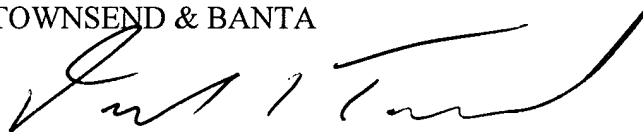
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degree of polarization (99.6%) of the present invention. Therefore, the Examiner's combination of references in no way anticipate or render unpatentably obvious the subject matter now called for in the claims herein. Consequently, the Examiner would be justified in no longer maintaining the rejection. Withdrawal of the rejection is accordingly respectfully requested.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance, and early action and allowance thereof is accordingly respectfully requested. In the event there is any reason why the application cannot be allowed at the present time, it is respectfully requested that the Examiner contact the undersigned at the number listed below to resolve any problems.

Respectfully submitted

TOWNSEND & BANTA

A handwritten signature in black ink, appearing to read 'Donald E. Townsend', written over the printed name.

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Date: December 16, 2003



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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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On December 16, 2003.

Donald E. Townsend, Jr.

Donald E. Townsend, Jr.